

10/507076 #3

DIR. REG. PTO 09 SEP 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Kenichiro SHINOI, et al.

Application No.: New PCT National Stage Application

Filed: September 9, 2004

For: WIRELESS COMMUNICATION APPARATUS, RECEIVING APPARATUS, AND
RECEIVING SCHEME SELECTION METHOD

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents
Washington, DC 20231

Dear Sir:


Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. Copies of the art cited in the International Search Report (ISR), which issued by the JPO, are made available to the U.S. examiner in the national stage application, pursuant to MPEP 1893.03(g), and therefore copies of such art are not submitted herewith. The art cited in the ISR is listed on the attached PTO-1449 for an indication of consideration by the examiner. Copies of any other references listed on the PTO-1449, besides those cited in the ISR, are submitted herewith. JP '420 is discussed in the present application at page 2, line 16 et seq.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made

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DT09 Rec'd PCT/PTO 09 SEP 2004

of record herein and appear among the "References Cited" on any patent
to issue herefrom.

Respectfully submitted,



James E. Ledbetter
Registration No. 28,732

Date: September 9, 2004

JEL/ejw

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FORM PTO-1449 U.S. Department of Commerce
(Rev. 4/92) Patent and Trademark Office

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use several sheets if necessary)

ATTY. DOCKET NO.

L9289.04152

SERIAL NO.

New York State Application 10/507076

APPLICANT

Kenichiro SHINOI, et al.

FILING DATE

September 9, 2004

GROUP

Unassigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2002 0 1 6 7 9 9 8	11/2002	Penther			
	2002 0 1 4 5 9 9 1	10/2002	Miya et al.			

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
					YES NO
1 0 0 5 6 4 2 0	02/1998	JP			Abstract
2002 2 0 8 8 8 1	07/2002	JP			
5 2 0 7 0 7 6	08/1993	JP			
2001 1 9 6 9 7 4	07/2001	JP			
2002 1 0 3 6 3	01/2002	JP			
2002 2 6 9 1 9	01/2002	JP			
2003 6 9 4 5 9	03/2003	JP			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

International Search Report dated October 28, 2003.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.